

IAP10 Rec'd PCT/PTO 22 NOV 2008

(Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 2003P03453WOUS
		U.S. APPLICATION NO. (If Known, see 37 CFR1.5) 10/556,169 NOT YET ASSIGNED
INTERNATIONAL APPLICATION NO. PCT/EP2004/004066	INTERNATIONAL FILING DATE APRIL 16, 2004	PRIORITY DATE CLAIMED MAY 26, 2003
TITLE OF INVENTION FUEL CELL AND HEATING DEVICE OF A FUEL CELL		
APPLICANT(S) FOR DO/EO/US GUENTER BASCHEK, ARNO MATTEJAT		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input checked="" type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: (a) RETURN RECEIPT POSTCARD; (b) A POWER OF ATTORNEY IS INCLUDED IN DECLARATION; (c) COVER PAGE OF PCT APPLICATION PCT/EP2004/004066; (d) INTERNATIONAL SEARCH REPORT; (e) AUTHORIZATION TO ACT IN A REPRESENTATIVE CAPACITY.</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/EP2004/004066	ATTORNEY'S DOCKET NUMBER 2003P03453WOUS																																													
<p>The following fees are submitted:</p> <p>21. <input checked="" type="checkbox"/> Basic national fee..... \$ 300 \$ 300.00</p> <p>22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$ 100 All other situations..... \$ 200</p> <p>23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$ 100 International Search Report prepared and provided to the Office..... \$ 400 All other situations..... \$ 500</p> <p>TOTAL OF 21, 22 AND 23 = \$ 900.00</p> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>X \$250</td> </tr> </tbody> </table> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).</p> <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>19 - 20 =</td> <td></td> <td>x \$ 50</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td></td> <td>x \$200</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td></td> <td>+ \$ 360</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.</p> <table border="1"> <thead> <tr> <th>SUBTOTAL =</th> <th>\$ 900.00</th> </tr> </thead> <tbody> <tr> <td>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td>+ \$</td> </tr> <tr> <td colspan="2">TOTAL NATIONAL FEE = \$</td> </tr> <tr> <td>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>+ \$</td> </tr> <tr> <td colspan="2">TOTAL FEES ENCLOSED = \$ 900.00</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be refunded: \$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be charged: \$</td> </tr> </tbody> </table> <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 19-2179 in the amount of \$ 900.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2179. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830 732-321-3026</p> <p>GEORG ZEIS NOVEMBER 22, 2005 NAME DATE 407-736-6170</p> <p>L0114 REGISTRATION NUMBER</p>					Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		X \$250	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	19 - 20 =		x \$ 50	Independent claims	3 - 3 =		x \$200	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$ 360	TOTAL OF ABOVE CALCULATIONS =				SUBTOTAL =	\$ 900.00	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	+ \$	TOTAL NATIONAL FEE = \$		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	+ \$	TOTAL FEES ENCLOSED = \$ 900.00				Amount to be refunded: \$			Amount to be charged: \$
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																																													
- 100 =	/50 =		X \$250																																													
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																													
Total Claims	19 - 20 =		x \$ 50																																													
Independent claims	3 - 3 =		x \$200																																													
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$ 360																																													
TOTAL OF ABOVE CALCULATIONS =																																																
SUBTOTAL =	\$ 900.00																																															
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	+ \$																																															
TOTAL NATIONAL FEE = \$																																																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	+ \$																																															
TOTAL FEES ENCLOSED = \$ 900.00																																																
		Amount to be refunded: \$																																														
		Amount to be charged: \$																																														

FORM PTO-1390 (REV 02-2005)

Page 2 of 2

10/558169

10/2005 NOV 22 NOV 2005

AUTHORIZATION TO ACT IN A REPRESENTATIVE CAPACITY

In re Application of:

Inventor: G. Baschek et al.

Application No.: Not Yet Assigned

Filed: Herewith

Title: FUEL CELL AND HEATING DEVICE OF A FUEL CELL

Attorney Docket No. 2003P03453WOUS	Art Unit: Not Yet Assigned
	Examiner: Not Yet Assigned

The practitioner named below is authorized to conduct interviews and has the authority to bind the principal concerned. Furthermore, the practitioner is authorized to file correspondence in the above-identified application pursuant to 37 CFR 1.34:

Name	Registration Number
Georg Zeis	L0114

This is not a Power of Attorney to the above-named practitioner. Accordingly, the practitioner named above does not have authority to sign request to change the correspondence address, a request for an express abandonment, a disclaimer, a power of attorney, or other document requiring the signature of the applicant, assignee of the entire interest or an attorney of record. If appropriate, a separate Power of Attorney to the above-named practitioner should be executed and filed in the United States Patent and Trademark Office.

SIGNATURE of Practitioner of Record

Signature		Date November 22, 2005
Name	JOHN P. MUSONE	Registration No., if applicable 44,961
Telephone	407-736-6449	

This form offers a sample or suggested format for an authorization for an agent. See MPEP § 713.05 for more information. This sample form is not an OMB officially approved form.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.